

REMARKS:

In the foregoing amendments, claims 7-9 were amended to better define applicants invention and along the lines suggested by the examiner in a telephone interview on July 30, 2004. In addition, the abstract of the disclosure was amended to address the objection thereto, which was set forth in the final Official action mailed February 10, 2004.

The final Official action mailed February 10, 2004, included objections to applicants drawings. Applicant is submitting a transmittal of drawings together with this response. Together with the transmittal of drawings are a replacement Fig. 1 and a new Fig. 2D. In the replacement figure 1, a dot-dash line was inserted and identified by the legend "2D." This line orients the view taken in Fig. 2D. Fig. 2D is a partial cross sectional view along line 2D-2D of Fig. 1 and corresponds to the bottom lower left-hand portion of Fig. 2B and also includes the first block 19, as shown in Fig. 1. Fig. 2D is an enlarged view better showing the dimensions of the parts therein. The parts of Fig. 2D are identified by the same legends used in Figs. 1 and 2B. In addition, the legends L4, L5, L6, and X were included on Fig. 2D to identify the various lengths and width as set forth in applicant's specification and claims including the original claims. Applicant's specification was amended to identify these legends, together with Fig. 2D. In Fig. 2D, L4 is the first distance, as set forth in applicant's claims, which is the distance from the first block 19 to the temperature controlled heat-exchanger 12. L5 is the second distance from the relay block (or second block) 18 to the temperature controlled heat-exchanger

12. X is the width of the sealing member 28. L6 is the length of the connecting pipe 22. These lengths have the following relationship: $(L5 + W) < L6 \leq L4$. In other words, as set forth in the present claims, the length of the connecting pipe L6 is less than or equal to the first distance between the first block 19 and the temperature controlled heat-exchanger 12 (L4); and the length of the connecting pipe L6 is greater than the sum of (1) the distance L5 between the second or relay block 18 and the temperature controlled heat-exchanger 12 (L5) and (2) the width of the sealing member (X).

New figure 2D is similar to proposed new figure 2C, which was previously submitted. The final Office action mailed February 10, 2004, included an objection to figure 2C concerning the identification of the width of the sealing member by the reference character W. In figure 2D, the width of the sealing member is identified in a similar manner by the reference character X. Applicant's traversal of the objection to figure 2C, including an explanation of the width of the sealing member, is set forth later in this response. For the reasons set forth therein and for the reasons set forth above, applicant respectfully requests that the examiner reconsider and withdraw the previous objections to figure 2C and approve the changes to figure 1 and new figure 2D.

Applicant desires to express thanks to Examiner Ciric for the courtesies extended to the undersigned in a telephone interview on July 30, 2004. In the interview, the examiner stated that applicant's response after final filed on June 10, 2004, failed to address the objections to the drawings and the objections to the abstract as cited in the previous Office action and is thus

non-responsive with regard to these matters. In addition, the examiner stated that the response after final failed to obviate the rejections of claims 7 through 9 under 35 U.S.C. 112, second paragraph, as cited in the previous Office action. However, the examiner indicated that the response after final overcame the rejections of the claims under 35 U.S.C. 112, first paragraph, as cited in the previous Office action.

In the interview with the examiner, Examiner Ciric stated that the amendments to the claims set forth in the response after final filed on June 10, 2004, failed to correct the problems under 35 U.S.C. 112, second paragraph, as cited in the previous Office action, and thus failed to place the claims in condition for allowance. The examiner kindly provided suggestions as to how to specifically obviate the aforementioned rejection of the claims, which suggestions were attached to the Advisory Action mailed August 2, 2004. The preparation of an examiner's amendment was discussed. However, Examiner Ciric then noticed that the proposed amendment after final was non-responsive with regard to some matters, for example, failing to address the objections to the drawings as cited in the previous Office action. The objections to the drawings were discussed in order to clarify the same. Upon reconsideration, however, driven by the requirement for consistency with regard to compliance with accepted Office procedure relating to applicant responsiveness to drawing objections in particular, the examiner decided not to approve entry of the amendment set forth in the response after final filed on June 10, 2004, due to its non-responsiveness to the drawing objections. Nevertheless, Examiner Ciric

indicated that she will enter an after-final amendment which is fully responsive to the final Office action (i.e., an amendment which addresses the objections to the drawings and to the abstract as cited in the previous Office action, and one which specifically makes the agreed-upon changes to the claims as noted in the marked-up claims attached to the Advisory Action, in order to obviate the rejections of the claims 7 through 9 on the basis of indefiniteness without significantly changing the scope of these claims.

In the foregoing amendments, claims 7-9 were amended as suggested by the examiner in the aforementioned telephone interview, to better define applicant's invention, and in response to the rejection under 35 U.S.C §112, second paragraph, that was set forth in the outstanding Office action. Accordingly, applicant respectfully requests that the examiner reconsider and withdraw this rejection.

Applicant respectfully requests that the foregoing amendments be entered under the provisions of 37 C.F.R. § 1.116(b) for the purposes of placing the application in condition for allowance or for the purposes of appeal. The foregoing amendments simply correct idiomatic errors and better define applicant's invention, thereby reducing issues for appeal and under consideration for patentability. Therefore, applicant respectfully requests that the foregoing amendments be entered under the provisions of 37 C.F.R. § 1.116(b) for the purposes of placing the application in condition for allowance or for the purposes of appeal.

The final Official action included the new matter rejections and objections as set forth in the previous Office action. Along these lines, the Official action required the filing of a petition for approving entry of the substitute declaration, which was filed in the United States Patent and Trademark Office (USPTO) together with the response on July 28, 2003. Applicant prepared and filed an appropriate Petition Under 37 CFR §1.182 for Accepting Later Filed Declaration as Original Declaration in USPTO on March 2, 2004. The Commissioner granted this petition on May 4, 2004. In particular, the Commissioner stated that the application comprises the application papers filed on August 8, 2001, including the preliminary amendment, and the declaration filed on July 28, 2003. In particular, the Commissioner stated that the preliminary amendment filed on August 8, 2001, is part of original disclosure.

Applicant respectfully submits that the entry of the substitute declaration filed on July 28, 2003, into the application; together with the preliminary amendment filed on August 8, 2001, being part of original disclosure; renders moot the objections and rejections set forth by the examiner in the outstanding Office action under 35 U.S.C §132 and the first paragraph of 35 U.S.C §112, including those set forth in sections 4, 5, 9, 10, and 12 of the Office action. The objections and rejections set forth in these sections of the final Office action are now moot

The amendments to the claims set forth above, which were kindly suggested by the examiner, overcome the rejection of claim 7-9 under 35

U.S.C. § 112, second paragraph, that was set forth in section 14 on page 5 of the Official action. The remaining sections of the final Office action included objections to the drawings set forth in sections 6 and 7 and an objection to the abstract of the disclosure set forth in section 8.

In the first objection to the drawings, the Office action stated that new figure 2C is not approved because it contains new matter. The Office action continued that there is no support in the originally filed disclosure, taken as a whole, for specifying the width of the sealing member to be particular dimension as now designated via reference character W in figure 2C.

Applicant respectfully submits that designating W as the width of the sealing member 14 is in accordance with the technical definitions for such a sealing member as known by those skilled in the art. The sealing member 14 can be an O-ring, as described in the last paragraph on page 10 of applicant's specification disclosure. The dimension W shown in figure 2C is designated as the width of an O-ring as understood by those skilled in the art. For the examiner's information, applicant is attaching hereto a copy of a web page from O-rings Inc., a supplier of O-rings in America. As shown on the attached web page, the width (w) of the O-ring is the same dimension as set forth in figure 2C. Since the dimension for the width W as set forth in figure 2C is common knowledge in the art, this dimension is inherently supported in applicant's specification disclosure. For all these reasons, applicant respectfully requests that the examiner reconsider the objection to figure 2C and approve this figure, together with figure 2D, for entry into the application.

In the second objection to the drawings, the Official action stated that the drawings must show every feature of the invention specified in the claims. Therefore, the Official action continued that the width of the sealing member as set forth in claim 7-9 should be canceled. The Official action also required a proposed drawing correction.

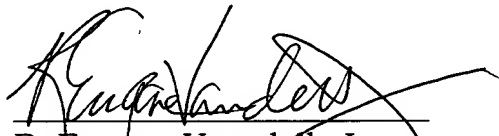
An O-ring, such as the presently claim sealing member 14, is a three-dimensional object inherently having dimensions in the three coordinates (x, y, and z). The width of the O-ring is one of these dimensions. Therefore, the designation of a width for the sealing member in applicant's claims is inherently supported in applicant's specification disclosure as would be understood by those skilled in the art, as representing the width dimension of the O-ring that was designated by the letter W in figure 2C.

For the foregoing reasons, applicant respectfully requests that the examiner reconsider and withdraw any objections to figure 2C and approve the same, together with figure 2D.

All the questions and issues raised in the final rejection have been addressed and resolved above, or were rendered moot by the granting of the above-mentioned petition. Therefore, applicant respectfully submits that this application, including claims 7-9, is in condition for allowance; and an allowance of the same is earnestly requested.

In the event this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The fee therefor, as well as any other fees which may become due, may be charged to our deposit account No. 22-0256.

Respectfully submitted,
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Acrylonitrile-Butadiene Copolymers

Trade Names:

Chemigum (Goodyear)

Hycar (Goodrich)

Krynac (Polysar)

Paracril (Uniroyal)



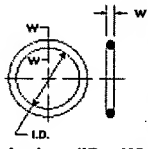
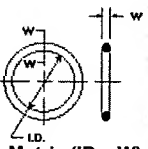
BUNA-N (Nitrile) This is most popular, all-around O-Ring. It has excellent resistance to petroleum-based products, hydraulic fluids, most silicone fluids, and fuels. Excellent compression set, resistance to tear and abrasion exhibiting high tensile strength. Not good against weathering. (sunlight, ozone)

Good for hydraulic actuator seals, hydraulic pump seals, water pump seals, carburetor seals, transmission seals. Resists aliphatic hydrocarbons (propane, butane, petroleum oil, mineral oil and grease, diesel fuel, fuel oils), vegetable and mineral oils and greases; HFA, HFB and HFC fluids; dilute acids, alkali and salt solutions at low temperatures; water (special compounds up to 212°F (100°C)).

Nitrile Buna-N is not compatible with phosphate esters, ketones, or brake fluids, and does not weather well. fuels of high aromatic content (for flex fuels a special compound must be used); aromatic hydrocarbons (benzene); chlorinated hydrocarbons (trichloroethylene); polar solvents (ketone, acetone, acetic acid, ethylene-ester); strong acids; brake fluid with glycol base; ozone, weather and atmospheric aging.

Temperature: -20 F to +250 F

Color is black.

 Inches (ID x W)	 Metric (ID x W)	The O-Rings can be bought by package quantity. Most items are in stock. Allow 5 to 6 weeks lead time for backordered items.
0.029 X 0.04	0.737 mm x 1.02 mm	BN70-001
0.042 X 0.05	1.067 mm x 1.27 mm	BN70-002
0.056 X 0.06	1.423 mm x 1.53 mm	BN70-003
0.07 X 0.07	1.78 mm x 1.78 mm	BN70-004
0.101 X 0.07	2.57 mm x 1.78 mm	BN70-005
0.114 X 0.07	2.9 mm x 1.78 mm	BN70-006
0.145 X 0.07	3.69 mm x 1.78 mm	BN70-007